

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

17-2677

Thomas Kielbasinski, Sr. v. Veterans Administration

3-15-cv-00195

**ORDER**

Pursuant to Fed. R. App. P. 3(a)(2) and 3rd Cir. LAR Misc. 107.2(a), it is

ORDERED that the above-captioned case is hereby dismissed for failure to timely prosecute insofar as petitioner failed to file required case opening form requirements is

FURTHER ORDERED that a certified copy of this order be issued forthwith as the in lieu of a formal mandate. No action will be taken on Appellee's motion for summary affirmance at this time. In the event the appeal is subsequently reopened, the motion for summary affirmance will be submitted to the Court.

For the Court,

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Date: 9/19/2017

cc: Donovan Cocas, Esq.  
Rebecca Ross Haywood, Esq.  
Marc T. Valentine, Esq.



**A True Copy**

*Marcia M. Waldron*

Marcia M. Waldron, Clerk

Certified order issued in lieu of mandate.